The opinion in support of the decision being entered today was <u>not</u> written for publication in a law journal and is <u>not</u> binding precedent of the Board.

## UNITED STATES PATENT AND TRADEMARK OFFICE

## BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte GARY A. BANNON, A. WESLEY BURKS, JR., HUGH A. SAMPSON, and HOWARD B. SOSIN

Application 09/141,220

ORDER DISMISSING APPEAL

MAILED

FEB 2 1 2006

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

On December 8, 2003, appellants filed a Notice of Appeal. On January 13, 2006, appellants filed a communication requesting express abandonment of this application.

Accordingly, it is

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ORDERED that the appeal filed December 8, 2003, is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

BOARD OF PATENT APPEALS

Dele M. Shaw

Program and Resource Administrator

(571) 272-9797

Appeal No. 2006-0992 Application 09/141,220

Choate, Hall & Stewart, LLP Two International Place Boston, MA 02110

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